

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

JULIE AUSTIN

PLAINTIFF

V.

NO. 3:22-CV-138-DMB-RP

THERESA MATHIS, et al.

DEFENDANTS

ORDER

On July 13, 2022, Julie Austin filed a complaint in the United States District Court for the Northern District of Mississippi against Theresa Mathis, Broderick Rogers, Steve Allen, Andrea Sanders, Oxford Police Department, Hardy Meeks, Lafayette County Sheriffs Department, Jennifer Chandler, Serena Ellison, and Brad McDivitt. Doc. #1. The same day, Austin also filed a motion to proceed in forma pauperis and a “Motion for Appointment of Attorney Due to Complexity of Case.” Docs. #2, #3.

On August 1, 2022, United States Magistrate Judge Roy Percy, recognizing that Austin’s claims and factual allegations largely relate to a custody dispute over her grandchildren, found that the Court “may lack jurisdiction to adjudicate this action” because federal courts cannot adjudicate domestic relations allegations. Doc. #5 at PageID 28–29. So Judge Percy deferred ruling on Austin’s motion to proceed in forma pauperis and ordered that Austin had “until August 16, 2022, to file an amended complaint correcting the[jurisdictional] deficiencies or otherwise show cause as to why this case should not be dismissed.” *Id.* The order specifically warned Austin that failure to do so would result in dismissal of this case. *Id.* at PageID 29. Despite this warning, Austin has failed to respond to the Court’s order much less comply with its directive to show cause as to the Court’s jurisdiction or otherwise why this case should not be dismissed, and the deadline for doing so has passed.

Accordingly, this case is **DISMISSED without prejudice** for lack of subject matter jurisdiction and failure to comply with a court order pursuant to Federal Rule of Civil Procedure 41(b). Austin's pending motions [2][3] shall be **TERMINATED as moot**.

SO ORDERED, this 23rd day of August, 2022.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE